



JOSEPH R. BIDEN, III
ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
NEW CASTLE COUNTY
CARVEL STATE BUILDING
820 N. FRENCH STREET
WILMINGTON, DE 19801

CRIMINAL DIVISION (302) 577-8500
FAX: (302) 577-2496
CIVIL DIVISION (302) 577-8400
FAX: (302) 577-6630
TTY: (302) 577-5783

PLEASE REPLY TO: (302) 577-8400

December 5, 2007

Magistrate Judge Mary Pat Thyng
U.S. District Court, District of Delaware
844 N. King Street
Wilmington, DE 19801

RE: *Hunt v. First Correctional Medical Systems*, C.A. No. 04-1417-***

Dear Judge Thyng:

On Monday, December 3, 2007, State Defendants in the above-referenced matter filed a timely Motion for Summary Judgment, D.I.69, with a supporting Memorandum of Points and Authorities in Support of Their Motion for Summary Judgment, D.I.70.

Counsel for State Defendants was out of the office yesterday. Upon return to the office today, two errors to D.I.70 have been brought to counsel's attention. First, Exhibit A, the Excerpted Deposition of Richard C. Hunt, does not contain his corresponding errata sheet (attached). Next, on the third page of the Memorandum of Points and Authorities, the sentence beginning on the fourth line should read:

In this case, viewing the facts and drawing reasonable inferences in the light most favorable to the Plaintiff, State Defendants are entitled to judgment as a matter of law.

The sentence currently included in D.I.70 erroneously infers that there is no issue of material fact in this matter. State Defendants have not taken that position.

If the Court wishes, the State Defendants can re-file D.I.70 with the omitted pages from Exhibit A and the corrected language from the Memorandum.

Thank you.

Very truly yours,

/s/ Catherine Damavandi,
Deputy Attorney General, ID#3823

cc: Clerk of Court
Mr. Daniel McKenty, Esq.
Mr. Richard C. Hunt, SBI#274714 (by U.S. Mail)